

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to update the Commission's policies and procedures related to electromagnetic fields emanating from regulated utility facilities.

Rulemaking 04-08-020
(Filed August 19, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING
PROVIDING OPPORTUNITY FOR COMMENTS ON RULEMAKING**

Background

Rulemaking (R.) 04-08-020, adopted on August 26, 2004, discusses existing scientific research on electromagnetic fields (EMFs) and the findings of a Department of Health Services Report released in 2002. Rulemaking 04-08-020 states that given the continued scientific uncertainty associated with EMFs, the Commission will continue its existing EMF mitigation policy of Prudent Avoidance.¹ Rulemaking 04-08-020 also states that it will consider three issues:²

1. The results of the Commission's current "low-cost/no cost" mitigation policy and the need for modifications.
2. Explore improvement in the implementation of the existing "low cost/no cost" mitigation policy.
3. As new EMF related scientific data becomes available, new or revised Commission EMF mitigation policies.

¹ R.04-08-020, p. 7.

² *Id.* pp.8-9.

At the Prehearing Conference on October 28, 2004, parties expressed that comments and reply comments would help clarify the issues and need for workshops, or evidentiary hearings. Parties indicated that comments could be submitted by December 2004, and reply comments about one month later. The Assigned Commissioner's Office agrees that comments and reply comments will help frame the Commissioner's Scoping Memo outlining the issues, timetable, need for hearings, and other matters.

Comments

Parties may submit comments and reply comments which shall address the three issues adopted in R.04-08-020 (Preliminary Scoping Memo). Comments should explain the issues to consider in this proceeding, how the proposed issues are within the framework of the rulemaking, whether these issues should be resolved through additional comments, workshops or evidentiary hearings, and any proposed timetables.

Comments shall be submitted by December 31, 2004. Reply comments shall be submitted by January 28, 2005.

Therefore, **IT IS RULED** that:

1. Parties shall submit comments as described above by December 31, 2004.
2. Parties shall submit reply comments as described above by January 28, 2005.

Dated November 1, 2004, at San Francisco, California.

/s/ BRUCE DEBERRY
Bruce DeBerry
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Providing Opportunity for Comments on Rulemaking on all parties of record in this proceeding or their attorneys of record.

Dated November 1, 2004, at San Francisco, California.

/s/ ERLINDA PULMANO

Erlinda A. Pulmano

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.